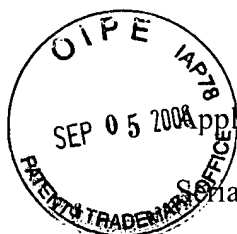


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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Whitsett

Serial No.: 10/690,489

Group Art Unit: 3673

Filed: October 21, 2003

Examiner: M. Safavi

For: "Piling Apparatus and
Method of Installation"

Date: August 30, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Box: Amendments

PETITION TO REVIVE

Dear Sir:

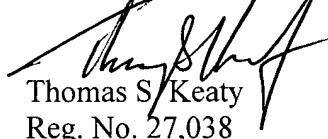
The applicant hereby petitions for revival of the above application that became abandoned unavoidably. On August 2, 2005, the Patent Office issued a restriction requirement, giving the applicant one month for a response. A reply to the restriction requirement was mailed to the U. S. Patent Office on August 9, 2005 and received in the mailroom of the Patent Office on August 12, 2005. A copy of the response, as well as a date stamped return receipt postcard, is enclosed herewith. As a consequence, the applicant submits that the submitted response was fully responsive to the Patent Office communication of August 2, 2005 and was filed timely.

On August 22, 2006, the Patent Office issued a Notice of Abandonment contending that no reply was received. The applicant complied with all requirements of the Patent Office and the Patent Office misplaced his response. The applicant petitions for revival of this application on the basis that the abandonment was unavoidable. Reparation of the application into a pending application is respectfully requested.

An alleged communication of September 21, 2005 was never received by the applicant or applicant's attorney.

<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Assistant Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450</p> <p>On: <u>8/30/06</u></p> <p>By: <u>Debra Hom</u></p> <p>Debra Hom</p>

Respectfully submitted,


Thomas S. Keaty
Reg. No. 27,038

Keaty Professional Law Corporation
2140 World Trade Center
2 Canal Street
New Orleans, LA 70130
(504) 524-2100
Attorney for Applicant

THIS IS A RETURN RECEIPT FROM THE U.S.P.T.O. FOR THE DOCUMENTS ATTACHED

DATE: 8/9/05

DUE DATE: 9/2/05

DOCKET NO. W04-1041

TO: The Commissioner of Patents & Trademarks
Washington, D.C. 20231

Re: Applicant: Michael Whitsett

Serial NO. 10/690,489

Filed: Oct. 21, 2003



For: piling Apparatus and method of installation

THE FOLLOWING DOCUMENTS ARE ENCLOSED HERewith:

Response to Office Action dated 8/2/05'

Sir: Please acknowledge receipt of the above documents by date stamping this card and returning same to the address on the reverse side.

John Han

KEATY P.L.C., 2 Canal St., 2140 World Trade Center, N.O., LA 70130 // (504) 524-2100



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Whitsett

Serial No.: 10/690,489

Group Art Unit: 3673

Filed: October 21, 2003

Examiner: M. Safavi

For: "Piling Apparatus and
Method of Installation"

Date: August 9, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Box: Amendments

RESPONSE

Dear Sir:

In response to the Office Action of August 2, 2005, and the restriction requirement under 35 U.S.C. 121, the applicant submits that the applicant inadvertently omitted selecting a Group of species of the anchor and drive means. The applicant elects with traverse, the Group of Species of the helical anchor shown in Figures 1C/22 and the Group of Species of the drive means shown in Figure 14.

Claims 1 - 4, 16, 18 - 28 read on the elected species of the helical anchor and the drive means. The applicant reserves the right to file divisional application(s) on the non-elected species. It is believed that all requirements of the Examiner have been met, and examination of the claims on the merits is respectfully requested.

Respectfully submitted,

Thomas S. Keaty
Reg. No. 27,038
Keaty Professional Law Corporation
2140 World Trade Center
2 Canal Street
New Orleans, LA 70130
(504) 524-2100
Attorney for Applicant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Assistant Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

On: Aug. 9, 2005
By: Debra Hom
Debra Hom